

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION

BILLY WHITEHEAD  
ADC #600614

PLAINTIFF

v.

No. 2:14-cv-48-DPM-JJV

JAMES SIMMONS, Doctor,  
EARU, ADC

DEFENDANT

ORDER

Unopposed recommendation, *No* 37, adopted. FED. R. CIV. P. 72(b) (1983 Addition to Advisory Committee Notes). Dr. Simmons's motion for summary judgment, *No* 33, is granted. Whitehead's deliberate-indifference claim against Simmons will be dismissed with prejudice. An *in forma pauperis* appeal of this Order and accompanying Judgment will not be taken in good faith.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

26 August 2015